

House File 2504 - Introduced

HOUSE FILE 2504

BY BENNETT and

RUNNING-MARQUARDT

A BILL FOR

- 1 An Act relating to telecommunications service data overage
- 2 charges occurring during specified natural disaster
- 3 declarations.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 476.103, subsection 2, Code 2022, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *0c.* "Data overage fee" means an additional
4 financial charge to a consumer's telecommunications service
5 provider statement due to a consumer's use of services not
6 covered by the consumer and provider agreement.

7 Sec. 2. Section 476.103, Code 2022, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 3A. The board shall adopt rules prohibiting
10 a telecommunications service provider from charging data
11 overage fees to consumers located in this state during a state
12 of disaster emergency or declaration of a major disaster
13 pursuant to section 29C.6.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill relates to natural disasters and prohibited
18 telecommunication service charges.

19 The bill defines "data overage fee" to mean an additional
20 charge to a consumer's statement due to the consumer's
21 use of services not covered by the agreement between the
22 telecommunications service provider and the consumer.

23 The bill prohibits telecommunications service providers from
24 charging data overage fees to consumers located in a state or
25 federally declared natural disaster area. Under the bill,
26 a telecommunications service provider charging data overage
27 fees to consumers located in a natural disaster area pursuant
28 to Code section 29C.6 would be subject to board discipline,
29 including a civil penalty of not more than \$10,000 per offense
30 pursuant to Code section 476.103.